G. R. S. IX-5]

Previous references.

File No. 115-C9

1919.

Serial Nos. 1

(55)

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Acc

Part B for Jan 1920.

SUBJECT.

Petn of Mr. Srinivasa Murthi Pantulu in the matter of his claim on the income from the Yelandu Jaghir.

WD 2233—GPB—20,000—14-6-20

G. R. S. III—1] 1919

GENERAL AND REVENUE SECRETARIAT.

(P. P.)

NOTES.

File No. 115—19

FILE HEADING.

Petition of Mr. Srinivasamurti Purnaiya in the matter of his claims on the income from the Yelandur Jaghir, and other properties,

From

K. Srinivasa Iyengar Esq BA BL, High Court Vakil, Madras and advocate of the Ch: Court of Mysore. Mylapore

No.	Dated nil	Received 2. 2. 20
Diary No. 13/56	Enclos. petition Spare Copies.	Serial No. 1.

BRIEF ABSTRACT OF LETTER.

Petitioner Presents a petition on behalf of Mr. Srinivasamurti Purnaiya under the Yelandur Jaghir Regulation, and requests he may be allowed to speak to the members of the Board on the petition, before it is finally disposed of.

NOTES AND ORDERS.

Submitted with a copy of the Yelandur Jaghir Regulation, 1885. There is no provision in the Regulation for the claim of Excise Revenue now put in by the Petitioner. Attention is also

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General and Revenue Secretariat.

P P File No. 115 of 1917

Serial No.

* Spare copy of Regn not available

VS

invited to Section * 5 (3) of the Regulation which require that such claims should first be preferred to the Jahgirdar. As no succession to Mr. Narasinga Rao Pantu has yet been declared as Jahgirdar of Yelandu, the party may if approved be informed that application will in the first instance have to be made to the next successor Jahgirdar as soon as he is duly recognised and declared as such; ~~which is~~ Submit with a draft for approval or other orders.

VS

3. 2. 20.

MK 3/2/20

Chief Secy

The proposed disposal seems to be in order. But the High Court Vakil who presented the application desired that Govt might hear him in person before disposing of the matter. If approved the Vakil may be heard & then

NOTE—Contn. sheet.

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General and Revenue Secretariat.

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Serial No.

date of hearing may be fixed after the succession to the Jagir is decided.

Decoan

CBK

W.P. 3/2/20

Cecil

6.2.20

M 7/2

Forwarded.

At the hearing of the Jagir claim we K. Srinivasa Iyengar agreed to the proceedings suggested, viz that the claim for increased annuity should first be decided by the Jagirdar & then put approached in appeal if necessary.

No reply to the petition necessary. The papers may be filed.

CBK 9/7

File BM 9-7-20

CHIEF SECRETARIAT. II POLITICAL BRANCH. 7-FEB-1920

Send B. file 10th June 1920

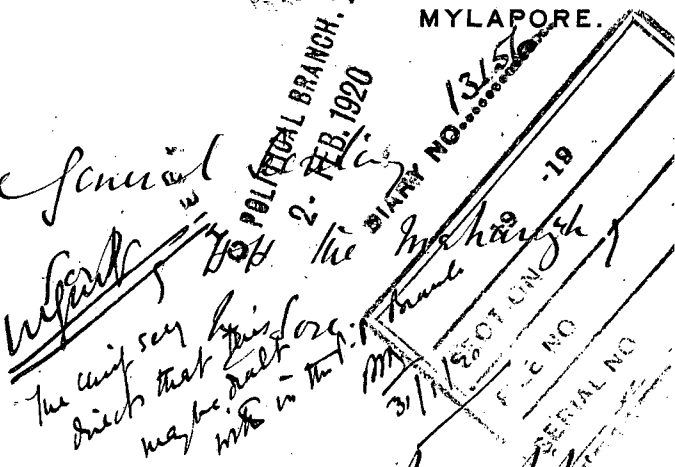
CHIEF SECRETARIAT. II POLITICAL BRANCH. 5-APR-1920

B CHIEF SECRETARIAT. II POLITICAL BRANCH. 10 JUL 1920

NOTE—Contn. sheet.

LUZ CHURCH ROAD,

MYLAPORE.



To

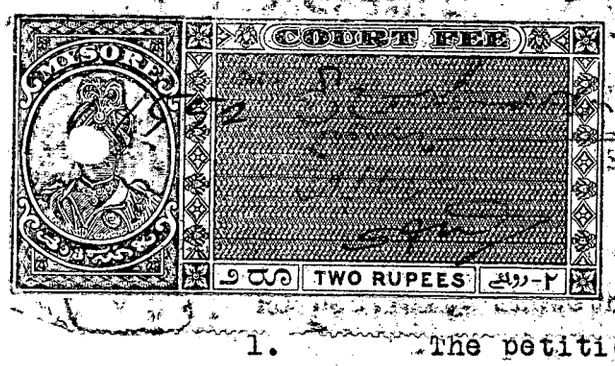
The Secretary to the Government of Madras

Sir,

I shall beg to present a petition on behalf of the Indian Merchants Chamber under the Defence of India Regulation. I shall be much obliged if you can arrange a date suitable to the members of the Government to hear me on the petition before it is finally

Respects.

Have the honor to
remain sir
your most obedient servant
& humble servant
Isabel Boyd Mackie



Presentation
person by
Mr. S. Aravamudier
agent for High
Court Pleader
28/1/20

HIS HIGHNESS THE
MAHARAJAH OF MYSORE.

of Srinivasa Murthi Purnayya

1. The petitioner is the Uterine younger brother of Narasinga Rão Purnayya the late Jagirdhar of Yelandur who died recently in January 1920.

2. The said Narasinga Rao has left two minor sons of whom the eldest would under the Yelandur Jaghir regulation succeed to the Jaghir.

3. The petitioner and the late Narasinga Rao were the only lineal male descendants of Dewan Purnayya the original grantee of the Jaghir.

4. That ever since the grant the said Dewan Purnayya and the members of his family have been treating and enjoying the Jaghir and its incomes as joint property without however dividing the same; the senior male member being always the manager for the time being of the Joint Hindu Family.

5. That in or before the year 1885 the said Jaghir got into an embarassed condition and the Government of His Highness the Maharaja of Mysore with the object of preserving the Estate for the benefit of the members of the family and of preventing its alienation or waste passed a regulation called the Yelandur Jaghir Regulation (regulation I of 1885) with the consent of Mr. P.N. Krishnamurthi (afterwards Sir P.N. Krishnamurthi) & Mr. P.N. Purnayya, the father and uncle of the petitioner respectively who were then the only direct male lineal decendants of the original grantee and the only two members of the

Senior branch.

6. By the said regulation an annuity of Rs.16000/- was fixed for the senior branch then represented by the petitioner's father and uncle aforsaid. As the petitioner's uncle the said Sir P.N. Krishnamurti became the Jaghirdar and as such became entitled to the residue of the rents and profits then realisable after payment of the annuities, the bulk of the annuity viz Rs.10000/- was alloted separately to the Junior brother, the father of the petitioner.

7. The father of the petitioner Mr.P.N. Purnayya predeceased the said Mr. P.N. Krishnamurthi leaving him surviving his two sons the petitioner and his deceased elder brother Narasinga Rao who with their uncle Sir P.N. Krishnamurthi formed members of a joint Hindu family.

8. The said Sir P.N. Krishnamurthi during his life time treated the income from the Jaghir including the annuity of Rs.16000/- payable to his branch consisting of himself and his brothers' sons as joint family income and the petitioner and his elder brother were under the protection of the said Sir P.N. Krishnamurthi as managing member.

9. The said Sir P.N. Krishnamurthi having died without male issue petitioner's brother Mr. Narasinga Rao, the then senior member of the Joint family became the managing member as well as the Jaghirdhar.

10. The Government of His Highness the Maharajah of Mysore, after the death of the said

Sir P.N. Krishnamurthi allotted an annuity of Rs.10000/- to his widow the petitioner's aunt during her life in consideration of her position and the petitioner himself was given only Rs.5000/- a year.

11. The petitioners aunt lady Kaveri Bai died in 1919 and the petitioner understands that after her death a sum of Rs.6000/- has been allotted by the Government to the daughter of the said Sir P.N. Krishnamurthi for her life.

12. The petitioner as the eldest male member of the senior branch and as the sole representative of the junior line is in Justice and Equity entitled to a very much larger allowance than the Rs.5000/- which he is now getting more especially as the condition of the estate is infinitely better than it was in 1885.

13. The petitioner here begs to state that it was always intended by Sir P.N. Krishnamurthi and the petitioner's father that the Jaghir alone should be taken by the elder brother and that the rest of the family properties including savings or accumulations out of the Jaghir revenues should be taken wholly by the younger brother or brothers as their share of the family property. But yet the late Mr. Narasinga Rao the petitioner's brother insisted on an equal division of all the properties excluding the Jaghir which he took for himself under the regulation. Further as there was a long delay in the actual division and as the said Nagasinga Rao as the elder brother and managing member was in possession of all the joint family properties, petitioner did not get even the interim income or profits out of his share of the properties.

(Sgd.)

Moreover he had to pay considerable sums to his sisters in fulfilment of promises made to them by his father.

14. The daghir is a minor and unless before he attains majority there will be a very large surplus out of the revenues of the daghir as his expenses are likely to be very small. Besides the daghir there are considerable other properties worth several lacs.

15. Petitioner submits that in the circumstances he should be given at least Rs.12000/- a year as allowance out of the ordinary revenues of the daghir.

16. At the time of the passing of the regulation of 1888 and for a long time thereafter the Government of His Highness the Maharajah of Mysore were retaining all excise revenue to themselves and it is only recently the Government resolved upon giving the excise revenue to the Inamdars. By virtue of such orders a very considerable sum of money being arrears of excise revenue was after the death of His H.H. Krishnamurthi was given to the petitioner's brother Sri. Kantaraja Urs. Petitioner submits that these arrears at any rate are ordinary joint properties and he is entitled to one half of the arrears on account of his one half share.

17. As the excise revenue was not taken into account as it could not be at the time of passing of the regulation the excise revenue which was quite recently granted by the Government must be considered as ordinary divisible joint family property and the petitioner is entitled to one half share in the future excise revenue.

18. Petitioner further submits that whatever

may be the legal nature of the excise revenue, seeing that there is a very large accretion to the income of the Jaghir far beyond what was anticipated at the time of the regulation and seeing that he is now the sole adult male member in the senior branch and as much bound to maintain the dignity of the family, petitioner should be given an extra Rs.10000/- beyong the Rs.12000/- claimed by him in para 14 atleast duing his life time.

19. The petitioner begs to state that with a growing family petitioner is unable even to meet his ordinary expenses out of the very limited allowance now given to him and unless His Highness Government makes a just and equitable adjustment in his favour, the petitioner is likely to be placed in a distressing position.

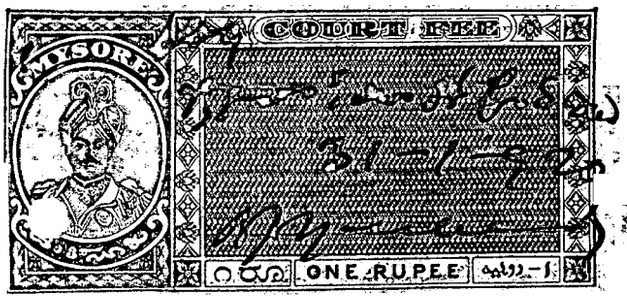
Petitioner therefore prays (1) That the Government may be pleased to allot Rs.12000/- a year to the petitioner in perpetuity out of the annuity allotted to the Senior branch.

(2) To direct half of the arrears of excise revenue given to the late Mr. Narasinga Rao to be given to petitioner out of the estate of the said Narasinga Rao.

3. To direct payment of half of the future excise revenue to be paid to petitioner,

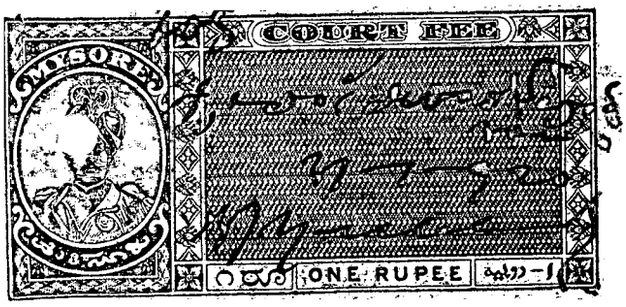
4. or in the alternative to direct payment to the petitioner of an extra sum of Rs.10000/- a year to be paid out of the excise revenue of the Jaghir.

[Signature]



of His Highness the Maharaja of Mysore

of Judicature at Madras.



No. of 1920

No. of 19

Srinivasa Murthi Purnayya ~~Appellant~~ Petitioner

Address:- care of K. Srinivasa Iyengar Esq
High Court Vakil. The dur, Mylapore, Madras

vs.

Respondent

I.
~~We~~ Srinivasa Murthi Purnayya

~~Appellant~~ ~~Respondent~~ Petitioner in the above ~~Appeal~~ Petition do ~~hereby~~ appoint and retain

Mr. K. Srinivasa Iyengar, B.A., B.L.,
Madras Advocate & Chief Local Reporter
Vakil of the High Court; to appear for me in the above ~~Appeal~~ Petition and to conduct and prosecute (~~or defend~~) the same and all proceedings that may be taken in respect of any application connected with the same or any decree or order passed therein, including all applications for return of documents or the receipt of any moneys that may be payable in the said ~~Appeal~~ Petition.

Srinivasamurthi Purnayya.

Executed before me this 20th day of January 1920.
(Signature illegible) of M. Rama Rao Bahadur & Co Ras Bahadur
Retired Judge Madras
20.1.20

Accepted.
K. Srinivasa Iyer
Vakil for Petr
29/1/20

The address for service of the said Vakil is :- 57, Vakils' Chambers, High Court Buildings, Madras.

In the ~~High Court, Madras.~~ Court of His Highness the Maharajah of Mysore

Petition No. of 1920

~~Appellant.~~
Petitioner.

vs.

Respondent.

VAKALAT.

Mr. K. SRINIVASA IYENGAR, B.A., B.L.,
Vakil for